IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO.311 OF 2003

IN

COMPANY PETITION NO.416 OF 1997

Jayabharat Credit Ltd. ...Applicants

Versus

The Official Liquidator,

High Court, Bombay. ...Respondents

.....

Mr.U.M.Mahajan i/b Divekar & Co. for Applicants.

Mrs.K.V.Gautam, Dy.Official Liquidator is present.

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CORAM: A.M.KHANWILKAR, J.

JUNE 23, 2005.

P.C.

1. Perused the pleadings and the accompanying documents.

2. As the valuer by report dated 29th March 2005 has identified three machines as claimed by the Applicants belonging to them, and directed to be delivered to the Applicants under Award dated

26th June 1999 and as no other party has come forward to claim ownership of the said machinery, Application is made absolute in terms of prayer clause (a).

3. Insofar as claim with regard to other machinery is concerned, it will be open to the Applicants to apply before the Official Liquidator in that behalf, which will be considered on its own merits in accordance with law.

4. This Application is allowed on condition that the Applicants will pay proportionate security charges in respect of the specified machines.

A.M.KHANWILKAR, J.